Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 910-00867-5100-054	Date: 7/31/10	Time: 1230 hours	
Location: 441 Bauchet Street		City or Station: Los Angeles	
Bureau/Station/Facility: Men's Central Jail Visiting Area		Admin. Investigation: YES ☐ NO ☒	
Type of Force: Significant Force - Skeletal Fracture, right upper arm			
Deputy Injury: YES ☐ NO ☒	Suspect Injury YES ☒ NO ☐		
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Fredericks	Emp:	IAB Roll Out: YES ☐ NO ☒

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
	Perez, III	Elizario	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	H	Men's Central Jail	Visiting Area

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	38	5' 7"	190

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ Coroner Case #: Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
	Aronson	John	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	Men's Central Jail	Visiting Area

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	38	5' 8"	172

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ Coroner Case #: Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
	Womack	Noel	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	Men's Central Jail	Visiting Area

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	32	6' 4"	260

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ Coroner Case #: Directed Force ☐ Significant Force ☒

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
	Gonzalez	Eric		Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
	Conley Jr.	Richard	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
	Limon	Robin	

Watch Commander (**Print Name**) ______ Watch Commander's **Signature**: ______ Emp #: ______ Date ______

Sergeant Laura Haynes
Supervisor Completing Form: (**Print Name**) ______ Emp #: ______ Copy Provided to Employee by: ______ Emp #: ______

Unit Commander (**Print Name**) ______ Unit Commander's **Signature**: ______ Emp #: ______ Date ______

DISCOVERY Use Only
FO# 2271276

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
910-00867-5100-054

Suspect Information

S 1

Last Name: Figueroa	First Name: Leo	Middle Name:
AKA Last Name: Frayjo	First Name:	Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☒ Male ☐ Female	H	[redacted]	[redacted]	[redacted]

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
None Given	[redacted]	41	5' 11"	03-06-70	250	☐

Booking #: 2423459 | Primary Charge Code: 69 P.C. | Secondary Charge Code: 415(2) P.C. | Criminal History ☒

EMT in attendance? ☒ YES ☐ NO Name: Liu and Gatlin Unit: 804 Phone #:

Hospital Admission? ☒ Rec'd Treatment At: LCMC Coroner Case #: Mental History ☐

By Doctor: Chu-Hsiang Chi Address: 1200 North State Street Phone #: 323-226-4563

Under Influence: ☐ YES ☒ NO Substance: Mental Illness ☐

Suspect Interview

Date: 07-31-10 | Time: 1300 | ☐ Audiotape: ☒ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☐ Male ☐ Female				

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
						☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐

By Doctor: Address: Phone #:

Under Influence: ☐ YES ☐ NO Substance: Mental Illness: ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☐ Male ☐ Female				

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
						☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐

By Doctor: Address: Phone #:

Under Influence: ☐ YES ☐ NO Substance: Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 0 - 0 0 8 6 7 - 5 1 0 0 - 0 5 4

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
	Zunggeemoge	Pantamytr	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Supervisor's Report on Use of Force

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Figueroa	S#1	Perez & Aronson	E#1,2	UC	NN	
Figueroa	S#1	Perez & Aronson	E#1,2	PP	NN	
Perez&Aronson	E#1,2	Figueroa	S#1	CT	NN	
Figueroa	S#1	Perez & Aronson	E#1,2	RS	NN	
Perez	E#1	Figueroa	S#1	TD	NN	
Aronson	E#2	Figueroa	S#1	PO	NN	
Perez	E#1	Figueroa	S#1	PH	NN	
Figueroa	S#1	Perez & Aronson	E#1,2	RS	NN	
Womack&Irvin	E#3,4	Figueroa	S#1	CT	NN	
Perez	E#1	Figueroa	S#1	RH	NN	

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
910 - 00867 - 5100 - 054

Involved Employee

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	Irvin	Jesse	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[X] Male [ ] Female	W	Men's Central Jail	Visiting Area

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [X] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	29	5' 9"	192

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [X]

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

Investigative Summary

INTERNAL AFFAIRS BUREAU
USE OF FORCE REVIEW SUMMARY
IAB #FO2271276
URN #910-00867-5100-054

Involved Employee(s)	**Deputy Elizario Perez III, #[redacted]** • **Takedown, Control Hold, Personal Weapons (fist)**
	Deputy John Aronson #[redacted] • **Control Hold, Resisted Handcuffing**
	Deputy Noel Womack #[redacted] • **Control Hold, Resisted Handcuffing**
	Deputy Jesse Irvin #[redacted] • **Control Hold**
Employee Witness	**Deputy Pantamytr Zunggeemoge, #[redacted]**
Suspect:	**Leo Figueroa, MH/41, DOB: 03-06-70** **Booking #2423459**
Date:	**July 31, 2010 (Saturday)**
Time:	**1230 hours**
Location:	**441 Bauchet Street** **Los Angeles, 90012**

OPENING STATEMENT:

On-call Internal Affairs Bureau personnel assumed the handle on a force investigation after learning that a suspect had sustained a fracture to his left arm during contact with deputy personnel. The incident was related as follows:

At approximately 1230 hours on July 31, 2010, Mens Central Jail personnel were working the outside visiting area of the jail. Suspect Figueroa approached deputy personnel and requested a visit with his brother, who is housed at the jail. The suspect's request to visit his brother was denied because the brother was housed in the jail discipline dorm. Suspect Figueroa left the jail for a short time.

Approximately one hour later, Suspect Figueroa returned to the visiting area of the jail and approached Deputies Elizario Perez and John Aronson. Suspect Figueroa again demanded to see his brother. When his demands were not met, Figueroa became both verbally and physically aggressive, as evidenced by his yelling, "This is a conspiracy, my brother is not a criminal," and pointing his finger at Deputy Perez' face. When ordered to leave, Suspect Figueroa replied, "Fuck you, I'm not leaving, you need to listen to me," and he then attempted to push past the deputies.

Deputy Perez grabbed the suspect's right arm, but the suspect broke free by twisting his own arm and pulling it out of Perez' grasp. Deputy Perez then grabbed the suspect's left arm and shoulder, while Deputy Aronson grabbed the suspect's right arm. They attempted to place the suspect's arms behind his back, but the suspect's much larger size prevented them from doing so. Deputy Perez was able to push the suspect to the ground, using his body weight, which caused the suspect to fall face down.

Despite the assistance of two additional deputies (Womack and Irvin), the suspect was able to push himself up off the ground using his right arm. Deputy Perez responded by punching the suspect once in the face. This tactic seemed effective as the suspect became momentarily dazed, and the deputies successfully handcuffed him.

The suspect was transported to Los Angeles County Medical Center where hours later they determined the suspect's left upper arm was fractured.

> **IAB NOTE:** Suspect Figueroa was charged with Resisting and Obstructing an Executive Officer, 69 P.C., Trespassing, 602 (o) (1) P.C., and Disturbing the Peace, 415 (2) P.C. The case was presented to the City Attorney for filing by Detective Armand Villagomez of the Jail Investigation Unit. A hearing date was set for August 31, 2010 but Suspect Figueroa did not attend and the case was closed.

INVOLVED PERSONNEL:

Perez, Elizario
Custody Operations Division
Men's Central Jail (Visiting area)

Work History:

Date of Employment: 06-27-07
Date Assigned to Custody: [redacted]
Completed Custody Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

Aronson, John
Custody Operations Division
Men's Central Jail (Visiting area)

Work History:

Date of Employment: 06-06-07
Date Assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

Womack, Noel
Custody Operations Division
Men's Central Jail (Visiting area)

Work History:

Date of Employment: 03-27-06
Date Assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

Irvin, Jesse
Custody Operations Division
Men's Central Jail (Visiting area)

Work History:

Date of Employment: 12-17-08
Date Assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

SUSPECT:

Figueroa, Leo MH/41 Booking #2423459

EMPLOYEE WITNESS:

Zunggeemoge, Pantamytr
Custody Operations Division
Men's Central Jail(Visiting area)

Work History:

Date of Employment: 02-12-07
Date Assigned to Custody: [redacted]
Completed Custody Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

INJURIES:

No Deputies were injured during this incident.

Suspect Figueroa sustained a humeral oblique fracture of his left arm (Refer to Suspect Figueroa's medical records and video of Suspect interview with Watch Commander Lieutenant Conley depicting Suspect's injuries in **Miscellaneous section** of this case file).

PHYSICAL EVIDENCE:

There was no notable physical evidence related to this incident.

INVESTIGATOR OBSERVATIONS:

Internal Affairs Bureau Sergeants did not respond to the Use of Force incident. Initially it was being handled and investigated by Custody supervisors until it was determined Suspect Figueroa sustained a fracture to his left arm during contact with deputy personnel.

WEAPONS USED BY SUSPECT:

Personal weapons, hands and feet.

PROPERTY DAMAGE:

No property was damaged during this incident.

CRIMINAL INVESTIGATOR/CHARGES FILED:

INVESTIGATOR'S NAME	- Detective Armand Villagomez
COURT	- City Attorney Office, Attorney Rood
CHARGES	- 69 P.C., 602 (o)(1)P.C., 415(2)P.C.
COURT DATE	- August 31, 2010

LIGHTING AND WEATHER CONDITIONS:

Lighting and weather conditions consistent with a sunny July summer day, 80 degrees in Los Angeles at 1240 hours in the afternoon.

INVOLVED EMPLOYEES' STATEMENTS:

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the recorded interview and verbatim transcript.

Deputy Elizario Perez:

Deputy Perez was interviewed on August 19, 2010 at Men's Central Jail, in the Sergeant's Office by Sergeant Laura Haynes of the Internal Affairs Bureau. Deputy Perez waived his right to have representation during the interview.

Deputy Perez described working the front platform area of visiting front with Deputy Aronson (Refer to **Exhibit A**, copy of a photograph of front platform area of visiting). He stated Suspect Figueroa, whom he described as a "large male," approached him and Deputy Aronson, speaking in a loud voice, and was very agitated regarding his brother's incarceration. Deputy Perez said he told the suspect to calm down and stop yelling because he was creating a disturbance. Suspect Figueroa ignored Deputy Perez and raised his hands in a manner that Deputy Perez described as palms out facing Deputy Perez, as if he was going to push past the deputies and enter the interior lobby area of visiting front. At the time of this incident Deputy Perez said there were between 40-60 people waiting for their visits. While Deputy Perez was addressing the suspect, he could see the large crowd was now watching Suspect Figueroa's aggressive behavior toward the Deputies. Deputy Perez realized he had to remove Suspect Figueroa from the situation and advised the suspect several times to back away and leave the area or he would be arrested for trespassing. Suspect Figueroa said "Fuck you" and closed the distance between the two to approximately one foot. Deputy Perez raised his left hand toward the suspect to back him off, but Suspect Figueroa did not back away and refused to leave as ordered.

Deputy Perez made the decision that the suspect would be arrested, and advised him to turn around and place his hands behind his back because he was now going to be arrested for trespassing. Deputy Perez grabbed Suspect Figueroa by the right hand and he spun out of the deputy's grasp, yelling, "Fuck You. You can't arrest me." Deputy Perez lost his grasp on the suspect's right hand. Deputy Perez said once the suspect spun around, he grabbed Suspect Figueroa's left arm and shoulder. With the assistance of Deputy Aronson they took the suspect down to the ground.

Suspect Figueroa landed on his stomach and had his left arm and hand underneath his body. Suspect Figueroa used his right arm to push himself off the ground. Deputy Perez punched the suspect once in the facial area to stop him from overpowering the deputies and gaining the upper hand. Deputy Perez said the punch seemed to be effective. At that time Deputies Womack and Irvin arrived and assisted Deputy Perez in handcuffing Suspect Figueroa (Refer to **Exhibit B** for copy of SH-R-49 report written by Deputy Perez documenting use of force).

> **IAB Note**: Deputy Perez said although there were between 40-60 people in the outside visiting area at the time of the Use of Force, only three witnesses were identified and agreed to be interviewed (Refer to Deputy Aronson's Supplemental Report **Exhibit C** for those statements).

Deputy John Aronson:

Deputy Aronson was working with Deputy Perez at visiting front. He recalls observing Suspect Figueroa approach Deputy Perez and after a few minutes heard Suspect Figueroa begin raising his voice and "flailing his hands in the air, shouting that he needed to get a visit." Deputy Aronson said Deputy Perez ordered Suspect Figueroa to calm down, lower his voice and step back from Deputy Perez. Deputy Aronson said Suspect Figueroa ignored Deputy Perez' orders and continued creating a disturbance so Deputy Perez told him he had to leave. Suspect Figueroa responded by yelling, "Fuck you I'm not leaving."

Deputy Aronson said he walked next to Deputy Perez because Suspect Figueroa "raised his arms above his chest and began to again take steps toward Deputy Perez." Deputy Aronson said he believed Suspect Figueroa was going to assault Deputy Perez. Deputy Perez advised Suspect Figueroa he was under arrest, and to turn around and place his hands behind his back. Deputy Aronson said, "Suspect Figueroa refused to turn around and tried to push past him." Deputy Aronson said Deputy Perez grabbed Suspect Figueroa's right arm, but Suspect Figueroa spun around breaking free from Deputy Perez. Deputy Aronson immediately grabbed Suspect Figueroa's right arm trying to control him but "due to Suspect Figueroa's much larger size and strength," he was unable to gain control of him.

Deputy Arsonson said as tried to control Suspect Figueroa's right arm and place his hands behind his back, "Suspect Figueroa was moving me around as if I was not even holding on to his arm." Deputy Aronson said Deputy Perez then took the suspect to the ground, and the suspect landed on his left side. Suspect Figueroa immediately tried to push off the ground with his right arm. Deputy Aronson placed his knees on the suspect's right lower back to keep the suspect on the ground. The suspect continued to resist the deputies and Deputy Aronson saw Deputy Perez punch the suspect one time in the face. Deputy Womack arrived on scene and he and Deputy Aronson were able to force the suspect's arms behind his back. Deputy Perez handcuffed Suspect Figueroa. (Refer to **Exhibit C** for Supplemental Report written by Deputy Aronson documenting use of force).

> **IAB Note:** Deputy Aronson said, "As Suspect Figueroa was being handcuffed, he yelled loudly that he was Code Four."

Deputy Noel Womack:

Deputy Womack said while working visiting he responded to Deputy Zunggeemoge's radio traffic of a deputy involved in a fight. Once outside, he saw Deputies Aronson and Perez struggling with Suspect Figueroa on the ground. Deputy Womack said he saw Deputy Aronson trying to force the suspect's right arm behind his back. Deputy Womack assisted Deputy Aronson on the suspect's right side and together they were able to force his right arm behind his back. He said Deputy Perez was able to force his left arm behind his back and Suspect Figueroa was handcuffed. Deputy Womack could not recall who handcuffed the suspect (Refer to **Exhibit D** for Supplemental Report written by Deputy Womack documenting use of force).

> **IAB Note:** Deputy Womack said once the suspect was handcuffed he recalled him yelling, "I'm Code Four."

Deputy Jesse Irvin:

Deputy Irvin said as he and Deputy Zunggeemoge were walking to visiting front to relieve Deputies Perez and Aronson, he heard a male voice yelling, "Stop fighting, give up your hands." Upon running outside, he saw Deputies Perez and Aronson struggling on the ground with Suspect Figueroa. Deputy Irvin said as he ran to assist he saw Suspect Figueroa attempting to push off the ground. He ordered Suspect Figueroa to stop fighting and pushed down on the suspect's upper back area forcing him to stay down. Deputy Irvin said, "It took three deputies to force Suspect Figueroa's arms behind his back after a long violent struggle."

Deputy Irvin said at 1145 hours while he was processing visiting passes, Suspect Figueroa had approached him stating he wanted to visit his brother.

When Deputy Irvin ran a check to see where he was housed, it revealed Suspect Figueroa's brother was in discipline housing where visits are not allowed. Deputy Irvin said he explained this to Suspect Figueroa who began raising his voice at Deputy Irvin demanding to know his brother's release date. Deputy Irvin explained there was no release date as of yet, and until he is released from discipline housing he would not be allowed a visit. Deputy Irvin said Suspect Figueroa continued to yell but left the visiting area, only to return later (Refer to **Exhibit E** for Supplemental Report written by Deputy Irvin documenting use of force).

> **IAB Note:** Deputy Irvin said, "During the struggle, I believe I heard Suspect Figueroa yell, "I'm Code Four, I'm Code Four, no assistance needed."

Deputy Pantamytr Zunggeemoge:

Deputy Zunggeemoge said he and Deputy Irvin were walking to relieve the visiting front Deputies Perez and Aronson, when he saw them fighting on the ground with a fairly large male. Deputy Zunggeemoge said he saw the people outside waiting for visits begin to advance on the deputies, so he immediately transmitted radio traffic of deputy involved in a fight. Once outside he stood between the deputies struggling with Suspect Figueroa and the crowd of onlookers.

Deputy Zunggeemoge said while Deputies Perez, Aronson, and Irvin tried to handcuff the suspect, Deputy Womack arrived and assisted in gaining control of the suspect. Deputies Womack and Irvin were down toward the suspect's lower extremity area controlling his legs. Deputy Zunggeemoge said, "It took four deputies in a violent struggle to force Suspect Figueroa's arms behind his back." While controlling the onlookers, he heard the suspect yell, "Code Four. Code Four." By the time he turned around the suspect was on his feet being escorted away.

> **IAB Note**: Deputy Zunggeemoge explained at approximately1015 hours, while working visiting front, Suspect Figueroa approached him demanding to visit his brother (Refer to **Exhibit F** for copy of Deputy supplemental report). When Deputy Zunggeemoge told Suspect Figueroa he had to wait in line like everyone else, Suspect Figueroa yelled, "I want to see my brother right now." Deputy Zunggeemoge reiterated to Suspect Figueroa to wait his turn, but the suspect walked away only to return and challenge Deputy Perez. When Deputy Zunggeemoge saw Deputies involved in a fight in visiting front and ran to assist, he recognized Suspect Figueroa from his previous contact with him.

WITNESSES STATEMENTS:

Three witnesses were identified and interviewed by Deputy Aronson after the incident **(Refer to Exhibit C for witness statements).** Two witnesses described the guy as being "disrespectful and yelling at deputies," and one witness said when she looked up from reading the bible she "saw a man on the ground," possibly being handcuffed.

SUSPECT STATEMENT:

Suspect Figueroa was interviewed on videotape by Sergeant Gonzalez and Lieutenant Conley shortly after his arrest **(Refer to Miscellaneous Section for interview of Suspect on CD).** He denied becoming agitated with the deputies at visiting. He described being frustrated at the inability to visit his brother whom he told deputy personnel was "mentally ill, not a criminal." Suspect Figueroa was questioned why he continued to demand to visit his brother after the deputies explained his brother was in discipline housing and not allowed visits. Suspect Figueroa said he has been "getting the run around" and denied trying to push past deputies.

When Suspect Figueroa was questioned why he was using the terminology of "Code 4" he said he was studying to become a police officer.